THE HONOURABLE SRI JUSTICE N.V.RAMANA

Writ Petition No.15853 of 2001

Dated: 8th February, 2006

Between:

Neelam Balakrishna. **…..PETITIONER**

AND

The A.P.TRANSCO rep by its Additional

Secretary, Vidyut Soudha,

Khairatabad, Hyderabad & 2 Others. **….RESPONDENTS**

THE HONOURABLE SRI JUSTICE

N.V.RAMANA

W.P.No.15853 of 2001

ORDER:

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The petitioner is seeking regularization of his services in the respondents - Electricity Board on the ground that he worked for 120 days as Casual Labour from 6/79 to 9/82.

The questions, whether the petitioner was engaged by the respondents directly or was employed through the contractor, or whether the employment of the petitioner through the contractor was a camouflage to deny the petitioner the benefit of regularization, whether the petitioner worked for 120 days in a year continuously without break in service, are all disputed questions of fact, which having regard to the judgment of the apex Court in ***ONGC Ltd. V. Shyamlal Chandra Bhowmik***, cannot be gone into by this Court in a writ petition, and the remedy of the petitioner, if any, is to raise an industrial dispute under the Industrial Disputes Act, 1947 before the Labour Court.

Hence, granting liberty to the petitioner to raise an industrial dispute under the Industrial Disputes Act, 1947, before the Labour Court, the writ petition is dismissed. No costs.

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(N.V. RAMANA, J.)

Date:8th February 2006.

GRK